

REMARKS

Claim Amendments

Claims 1-4, 10, 11, 13, 14, 17-20, and 22 have been cancelled without prejudice. Claims 5-9, 12, 15, 16, and 21 have been amended. Support for the amendments can be found in the application as filed.

Drawings

The Examiner has stated that the drawings are objected to for not showing the rotatable cover as recited in claims 11, 13, 19, 20, and 22. Claims 11, 13, 19, 20, and 22 have been cancelled without prejudice, therefore the objection is moot.

Claim Rejections – 35 USC § 112

The Examiner rejects claims 1-22 as failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention.

The claims have been amended to provide clearer language.

Claim Rejections – 35 USC § 102

The Examiner rejects claims 1-4, 5, 6, 8, 15, and 16 as being anticipated by JP 3-29673 (hereafter “’673”).

Claims 1-4 have been cancelled, therefore the rejection against them is moot.

Claims 5 and 6 have been amend to recite “*a deformable cover being provided at the cutout recess of the guide rail allowing the closing the cutout recess*” which is not taught or suggested by ‘673 (but see the 103 rejection below). The Applicants respectfully request that the anticipation rejection against claims 5 and 6 be withdrawn.

The Applicants respectfully disagree with the Examiner regarding claims 15 and 16. Claims 15 and 16 recite “*an engagement prong formed at least on the interior side lateral wall of said*

hardware so as not to project into the guide groove.” The engagement prongs (7) of ‘673 appear to project into the guide groove. For at least this reason, the Applicants submit that ‘673 does not anticipate claims 15 and 16 and requests that the rejection be withdrawn.

Claim Rejection – 35 USC § 103

The Examiner rejects claims 7 and 9 as being obvious over ‘673 in view of mere duplication. Claims 7 and 9 are patentable at least for the reason that they are dependent upon patentable claims.

The Examiner rejects claims 10-13 and 17-22 as being obvious over ‘673 in view of US 6,715,531 to Simon (hereafter “Simon”). The subject matter of claims 5 and 6 have been amended to reflect original claims 10 and 17, therefore this rejection concerns claims 5 and 6 as well. The Applicant’s respectfully disagree with the Examiner’s rejection of these claims as Simon does not teach or suggest *“a deformable cover being provided at the cutout recess of the guide rail allowing the closing the cutout recess.”* Rather, Simon teaches “frame plates [including] at least one vertical wall which is capable of undergoing an elastic deformation and of returning to its original position without damage” (col. 1, lines 45-50) without any mention of use for covering a cutout recess. One skilled in the art combining these two references would simply combine the latching mechanism of ‘673 with the flexible guide rails/plates of Simon.

Furthermore, claims 5 and 6 have been amended to recite *“a connection portion which connects the bottom plate to one of the plurality of slats in a load-bearing manner”* in order to further distinguish the “connection portion” of the claims from the element 6 of ‘673, which does not appear to be a load-bearing connection, but a portion apparently solely used for ratcheting.

The Applicants respectfully request that the obviousness rejection be withdrawn.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months

necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being electronically transferred to the United States Patent and Trademark Office via EFS on

March 23, 2009

(Date of Transmission)

Joanna Sosa

(Name of Person Transmitting)

/Joanna Sosa/

Signature

March 23, 2009

Date

Respectfully submitted,

/Brian J. Cash 60,546/

Brian J. Cash

Attorney for Applicants

Reg. No. 60,546

LADAS & PARRY

5670 Wilshire Blvd., Suite 2100

Los Angeles, CA 90036

(323) 934-2300 voice

(323) 934-0202 fax

bcash@la.ladas.com